IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 14205 of 2004

Between:

1 Rayala China Venkatesh, S/o. Peraiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
2 Nandipam Veeraiah, S/o. Venkaiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
3 Nandipam Sarvaiah, S/o. China peraiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
4 Rahyala Peraiah, S/o. Saibhu,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
5 Rayala Pedasaibhu, S/o. Pottiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
6 Nandipam China Venkatesh, S/o. Ramaiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
7 Pingula Veediah, S/o. Pichiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
8 Dola Venkatesh, S/o. Paker,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
9 Nandipam Subbarao, S/o. Siddi Rao,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
10 Dola Satyanarayana, S/o. Durgaiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
11 Nandipam Nageswara Rao, S/o. Ramiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
12 Rayala Venkatesh, S/o. veeriah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
13 Rayala Prasad, S/o. Peraiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
14 Uppati Nagesh, S/o. Somaiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
15 Nandipam Kumari, W/o. Devithulu,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.
16 Thaluri Veeraju, S/o. Chinnaiah,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.

17 Rayala Srinu, S/o. subbarao,
R/o. Vegavaram Village, Jangareddygudem Mandal, West Godavari District.

..... PETITIONERS

AND

1 The Joint Collector, West Godavari District, Eluru.
2 The Revenue Divisional Officer, Jangareddygudem,
West Godavari District.
3 The Mandal Revenue Officer, Jangareddygudem Mandal,
Jangareddygudem.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate Writ, Order or Direction preferably a Writ in the nature of Mandamus, declaring the action of the 2nd respondent in issuing the show cause notice in proceedings in R.C.No.384/04 (B) dated 24-7-2004 as illegal, arbitrary and violative of Articles 14 and 300-A of the Constitution of India and consequently suspend the operation of the same by directing the respondents not to dispossess the petitioners in respect of the property in their respective possession.

Counsel for the Petitioners: MR.P.R.K.AMARENDRA KUMAR

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

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ORDER:

Heard both the learned Counsel.

The only grievance of the petitioners is that in spite of issuance of show cause notice and filing explanation, no orders have been passed and yet the petitioners are sought to be dispossessed.

Several contentions have been urged on behalf of the petitioners to sustain their claim. However, having regard to the fact that the impugned action is only in pursuance of the show cause notice and no further orders have been passed, it is not necessary to go into the merits of the case, it would suffice in the interest of justice to direct the 2nd respondent herein to pass an order after taking into consideration the explanation and after giving opportunity to the petitioners, within a period of four weeks from today. It is needless to mention that till the final orders are passed, the petitioners shall not be dispossessed from respective lands in question i.e., R.S.No.63/1 Ac.0.45 Cents, of Ramacharlagudem Village, Jangareddigudem Mandal, West Godavari District.

Accordingly, the Writ Petition is, disposed of. No costs.

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B.PRAKASH RAO, J.

Dated 11-08-2004.

SKMR

To

1 The Joint Collector, West Godavari District, Eluru.
2 The Revenue Divisional Officer, Jangareddygudem,
West Godavari District.
3 The Mandal Revenue Officer, Jangareddygudem Mandal,
Jangareddygudem.

4. 2CCs to G.P. for Revenue, High Court of A.P., Hyderabad.(OUT).

5. 2CD copies